

**FISCAL NOTE**  
**SENATE, No. 528**  
**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

DATED: AUGUST 9, 2010

**SUMMARY**

**Synopsis:** “Judy and Nikki’s Law;” provides for life imprisonment without parole for persons convicted of murder of a child 16 years of age or younger.

**Type of Impact:** General Fund expenditure

**Agencies Affected:** Department of Corrections

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate – See comments below		

- The Office of Legislative Services **concurs** with the Executive estimate and adds that Department of Corrections (DOC) data indicate that the cost of constructing one additional prison bed space ranges between \$60,000 and \$95,000 depending upon the security level of the bed. The ongoing operating expenses of housing a State sentenced prison inmate is \$49,000 per year for the duration of that offender's incarceration.
- The bill, designated as “Judy and Nikki’s law” would provide that a person convicted of murder of a child 16 years of age or less would be sentenced to life imprisonment without eligibility for parole.
- The DOC states that the department does not maintain information on persons convicted of murder based on the age of the victim. Accordingly, this department is unable to provide any information that could determine the fiscal impact on the department from the enactment of this legislation.

**BILL DESCRIPTION**

Senate Bill No. 528 of 2010, designated as “Judy and Nikki’s law” would provide that a person convicted of murder of a child 16 years of age or less would be sentenced to life imprisonment without eligibility for parole.

N.J.S.A.2C:11-3 provides that if a person is convicted of murder the person must be sentenced either to a term of 30 years imprisonment with no eligibility of parole or to a specific term of years between 30 years and life imprisonment of which the person must serve 30 years before being eligible for parole. In addition, N.J.S.A.2C:11-3 provides for a mandatory sentence of life imprisonment without eligibility for parole under the following circumstances: a person convicted of the murder of a law enforcement officer or a person convicted of the murder of a child under the age of 14 during the commission of a sexual assault.

This bill changes the second circumstance where life imprisonment is imposed by increasing the age of a child from 14 years of age to 16 years of age and by removing the factor that the murder was committed during the commission of a sexual assault. Therefore, under the provisions of the bill if a person is convicted of the murder of a child 16 years of age or less that person would be sentenced to life imprisonment without parole.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

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### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services concurs with the Executive estimate and adds that DOC data indicate that the cost of constructing one additional prison bed space ranges between \$60,000 and \$95,000 depending upon the security level of the bed. The ongoing operating expenses of housing a State sentenced prison inmate is \$49,000 per year for the duration of that offender's incarceration.

*Section:*           *Judiciary*  
*Analyst:*       *Anne Raughley*  
                      *Principal Fiscal Analyst*  
*Approved:*     *David J. Rosen*  
                      *Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).